

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re:

Case No.: 3:12-bk-08218-JAF

WAYNE T. SCHMEDES and
NANCY B. SARRAMIA-SCHMEDES,

Debtors.

**ORDER GRANTING DEBTORS' VERIFIED MOTION TO AVOID JUDICIAL
LIEN ON HOMESTEAD REAL PROPERTY, PURSUANT TO 11 U.S.C. §522(f)**

(JUDGMENT CREDITOR: BRANCH BANKING AND TRUST COMPANY)
(Doc. No. 18)

THIS CASE came before the Court without a hearing for consideration of the Debtors' Verified Motion to Avoid Judicial Lien on Homestead Real Property, Pursuant to 11 U.S.C. §522(f) (Judgment Creditor: Branch Banking and Trust Company) (Doc. No. 18), and said Creditor having failed to file a written response to the Motion in accordance with Local Rule 2002-4, it is

ORDERED:

1. That the Debtors' Verified Motion to Avoid Judicial Lien on Homestead Real Property, Pursuant to 11 U.S.C. §522(f) (Judgment Creditor: Branch Banking and Trust Company) (Doc. No. 18) is **GRANTED**.

2. That the judicial lien in favor of Branch Banking and Trust Company referenced as:

Judgment Debtor: Nancy Schmedes
Judgment Creditor: Branch Banking and Trust Company
Case Number: CA11-585
Court: Circuit Court for the Seventh Judicial
Circuit, in and for St. Johns County
Recording County: St. Johns County, Florida
Judgment Date: October 15, 2012
Recording Date: October 31, 2012 (Certified Copy)
Recorded in: OR Book 3636/Page 1030 (Certified Copy)
Instrument Number: 2012064323 (Certified Copy)
Judgment Amount: \$32,277.87, plus post-Judgment interest

which Judgment impairs the Debtors' interest in exempt homestead real property,
described as:

Physical Address: 830 Queen Road, Saint Augustine,
Florida 32086

Legal Description: Lots 4641 and 4642, St. Augustine
South, Unit No. 17, MB 8, Pages 50-58, Public Records of
St. Johns County, Florida

Property Appraiser's value: \$111,507.00

is avoided and canceled upon the entry of the Order of Discharge in this case or in any
converted case.

4. That, unless the Debtors' case is dismissed, Branch Banking and Trust
Company or its successors and/or assigns shall take whatever steps are necessary to
release the ^{above} ~~below~~-referenced judicial lien and remove it from the local judgment index.

DONE AND ORDERED this 10 day of June, 2013 in Jacksonville, Florida.


JERRY A. FUNK
United States Bankruptcy Judge

Attorney J. Andrew Jackson is directed to serve a copy of this Order on interested
parties and to file proof of service within three (3) days of entry of the Order.

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
U.S. DIST. CT. NO. 7-7131

Copies of this Order shall be furnished to:

Debtor, Wayne T. Schmedes, 830 Queen Road, Saint Augustine, Florida 32086

Debtor, Nancy B. Sarramia-Schmedes, 830 Queen Road, Saint Augustine, Florida 32086

Debtors' attorney, J. Andrew Jackson, Esquire, Jackson Law Group, L.L.M., P.A., 100 Whetstone Place, Unit 101, Saint Augustine, Florida 32086

Branch Banking and Trust Company, c/o Officer, Director, Agent, or Attorney, 4251 Fayetteville Road, Lumberton, North Carolina 28358

Branch Banking and Trust Company, Attention: Officer, Director, Agent, or Attorney, Post Office Box 1847, Wilson, North Carolina 27894

Branch Banking and Trust Company, Attention: Officer, Director, Agent, or Attorney, 200 W. 2nd Street, Winston Salem, North Carolina 27101

Branch Banking and Trust Company, c/o Thomas L. Avrutis, Esquire, Hodges, Avrutis & Foeller, P.A., Post Office Box 4137, Sarasota, Florida 34230

Chapter 7 Trustee, Aaron R. Cohen, Post Office Box 4218, Jacksonville, Florida 32201-4218

United States Trustee - JAX 13/7, Office of the United States Trustee, George C. Young Federal Courthouse, 400 West, Washington Street, Suite 1100, Orlando, Florida 32801